

REMARKS

The present application contains claims 1-8 and 10-23.

Applicant has amended claims 1-8, 13-16, and 19-23 to provide greater clarity. The claims have been amended to a scope commensurate with the support of the specification. No new matter has been introduced by way of the amendment.

Rejection under 35 U.S.C §103

The Office rejected claims 1-8 and 10-23 under 35 U.S.C. §103(a) as being unpatentable over US Patent 5,956,509 to Kevner, hereinafter referred as Kevner, and in view of US Patent 6,430,607 to Kavner, hereinafter referred as Kavner.

Applicant upholds and reiterates the arguments presented in the paper filed April 19, 2007, that the system of Kevner does not teach or suggest the currently claimed subject matter.

Kevner discloses a system that "optimizes the efficient use of memory by subdividing a large data block into incremental data blocks". Kevner "sends the incremental blocks over the wide area network. As the client receives each incremental data block, the client immediately begins to use the incremental data blocks". See col. 4, lines 29 – 34 in Kevner. From this it is clear that the system disclosed by Kevner is related to 'streaming' data between a server and client.

Applicant reiterates that it is not the data of the current application that is subdivided, but the server side of the client/server application. Furthermore, the subdivided information is not sent over a network between the client and server. Messages are sent between the client and server indicating requested functions, etc. As such, the streaming of large data files taught by Kevner does not suggest the incremental server side client/server application as disclosed and claimed in the current application.

The Office is silent on this argument provided by Applicant in the paper filed on April 19, 2007.

Compared to the present invention as claimed in amended claim 1, Kevner, at least, clearly does not teach or suggest the following:

1. a client/server application comprising a server application component and a client component

As noted above, col. 4, lines 29 – 34 in Kevner teaches subdividing and sending of data blocks. Therefore, Kevner does not teach or suggest "a client/server application comprising a server application component and a client component" whereby the server application component has the limitations as discussed below.

2. "the server application component comprising a plurality of server component portions"

The Office indicated on page 3 of the Office Action that Kevner at column 7, lines 1-5 teaches this limitation.

This is not correct.

Kevner at column 7, lines 1-5, does not teach or suggest “the server application component comprising a plurality of server component portions”. That is, a plurality of server component portions in the server application component.

3. “the server component portions including an initial server component portion and one or more subsequent server component portions, the initial server component portion having an initial function, each of the one or more subsequent server component portions including a respective subsequent function”

The Office is silent as where in Kevner this limitation is taught or suggested. Applicant notes, however, that Kevner cannot possibly teach or suggested this feature as Kevner does not teach or suggest “plurality of server component portions”.

4. “the client application component provided on the client, the client component including a command selectors, the command selector having”

The Office indicated on page 3 of the Office Action that Kevner at column 9, lines 55-65 and locator program 314 teaches this limitation.

This is not correct.

Locator program 314, as shown in Figure 3, is an entity on the gateway, not on the client. Furthermore, “the locator program 314 selects a server”. See column 9, line 59. Therefore locator program 314 is clearly unrelated to the command selector.

5. “means for selecting a function available from the plurality of the server component portions”

The Office indicated on page 3 of the Office Action that Kevner at column 28, lines 12-17 teaches this limitation.

This is not correct.

Kevner at column 28, lines 12-17 teaches how a user activates the CHAT application. See also Figure 10, column 18, lines 20-26 in Kevner. The activation of a client application in Kevner is clearly unrelated to selecting a function available from the plurality of the server component portions.

6. "means for generating a parameter for use by the server application component in determining the appropriate server component portion of the plurality of server component portions to load and execute on the server to provide the selected function to the client, the parameter being an initial parameter or a subsequent parameter"

The Office indicated on page 3 of the Office Action that Kevner at column 28, lines 1-5 and column 13, lines 13-21 teaches this limitation.

This is not correct.

Kevner at column 28, lines 1-5, similar as discussed above, teaches the states of a client application. See for example Figure 13, column 26, lines 32-48 *et seq.*, column 27, lines 52 -59 *et seq.*.

Kevner at column 13, lines 13-21, describes the parameters 424 as part of the client data structure, the parameters contain data related to the remote request or indicate that parameters are expected to be returned.

Kevner clearly does not teach or suggest "generating a parameter for use by the server application component in determining the appropriate server component portion".

The Office has acknowledged that Kevner does not disclose the remaining limitations of the server.

Instead, the Office has stated that Kavner at column 32, lines 18-22 and 45-55 discloses these limitations.

Applicant respectfully disagrees.

Applicant notes that Kavner is a divisional of Kevner.

Kavner at column 32, lines 18-22, describes how the client MPC layer builds the client data structure and is clearly unrelated to the claimed limitations.

Kavner at column 32, lines 45-55, describes how upload messages (i.e. data blocks as discussed in the above, see also column 16, lines 45-53, *et seq.*) are sent according to the protocol.

Therefore, Kavner at column 32, lines 45-55, at least, clearly does not teach or suggest the limitations of "the initiating message including the initial parameter associated with the initial server component portion"; "loading into the memory ... the initial server component portion"; "the subsequent message including the subsequent parameter associated with a subsequent server component portion"; "means for loading ... the subsequent server component portion" and "executing the subsequent server component portion loaded into the memory to provide the subsequent function to the client".

Applicant respectfully reminds the Office that, as claimed, the server application component comprises a plurality of server component portions server component portion.

The Office was silent to the arguments provided in the Remarks when the RCE was filed on July 23, 2007, that Kevner does not teach the claimed limitations of the present application, as entered on April 19, 2007. Applicant respectfully submits that the cited paragraphs of Kavner, which in fact was a divisional application of Kevner, does not overcome the basic deficiencies of Kevner.

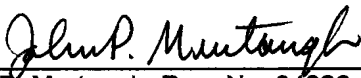
To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered in judging the patentability of that claim against the prior art. The Office has not met the burden as at least the foregoing elements of the claim are not taught or suggest by the prior art.

Independent claims 3, 5, 7, 16 and 20 all contain a similar limitation as outlined above for claim 1. As such, Applicant submits that the independent claims, as amended on April 19, 2007, are also patentable over Kevner in view of Kavner, and comply with U.S.C. 103(a).

Applicant submits that the dependent claims, which serve to limit the scope of the independent claims, also are patentable over Kevner in view of Kavner, and so comply with U.S.C. 103(a).

Applicant respectfully requests reconsideration of this application, based on the foregoing amendments and remarks.

Respectfully Submitted,
PEARNE & GORDON LLP

By 
John P. Murtaugh, Reg. No. 34226

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

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